



DEPARTMENT OF THE ARMY
HEADQUARTERS, AREA II SUPPORT ACTIVITY
UNIT #15333
APO AP 96205-5333

REPLY TO
ATTENTION OF:
IMKO-AB-RM

23 January 2006

COMMAND POLICY #9-1

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Premium Pay and Compensatory Time Policy for Direct Hire DAC/KN Employees

1. **REFERENCES:**

- a. IMA KORO Policy Statement #12, subject: Premium for Direct Hire Department of the Army Civilians (DAC)/Korean Nationals (KN) Employees, 3 Mar 03.
- b. DODFMR 7000.14-R, Vol 8, Chapter 3, 17 August 2004, subject: Civilian Pay Administration.
- c. USFK Reg 690-1 Civilian Personnel, Regulations and Procedures – Korean Nationals, 4 October 1994

2. **PURPOSE:** To prescribe policy and procedures for the financial management of Extended Workweek (EWW), Compensatory Time (CT), and all items of Premium Pay (i.e., Overtime (OT), Holiday Work (HW), and Night Differential (ND) within Area II Support Activity).

3. **APPLICABILITY:** This policy applies to all Area II Support Activity appropriated fund direct hire, Department of the Army Civilians (DAC), Korean National (KN), and Korean Service Corps (KSC) employees.

4. **DISCUSSION:** The Resource Management Office (RMO) is the staff proponent for this policy. As such will ensure policy compliance as defined herein.

This memorandum supercedes Command Policy Memorandum #9-1 dated 17 Nov 03.

IMKO-AB-RM

SUBJECT: Command Premium Pay and Compensatory Time Policy for Direct Hire
DAC/KN Employees

5. **PROCEDURES:** All requests for Premium Pay and Compensatory time will be processed and reported in accordance with the following policy:

6. **POLICY:**

a. General

(1) The normal tour of duty will consist of 8 hours daily, 40 hours per week. Premium Pay is work in excess of eight hours in a day or in excess of 40 hours in a workweek. Regularly scheduled tour of duty in excess of 40 hours for all categories will be strictly controlled.

(2) CT, OT, HW, ND and EWW by employees will be limited to absolute mission essential needs which meet the following criteria:

(a) Workload is directly related to support of base operations.

(b) Workload is directly associated with emergencies, such as natural disasters, civil disturbances, or contractor labor disputes affecting military operations.

(c) Workload consists of correcting or preventing imminent safety or health hazards or preserving human life.

(d) Completion of a task by a specific date is directed by a higher headquarters and the suspense date cannot be extended.

(e) Workload is directly associated with significant disruptions of critical automated data processing and management information systems, utilities, or critical command and control communications.

(f) Overtime is in direct support of a non-deferrable workload described in paragraph 6b(1) and (4) below which is beyond the control of the commander.

(g) Cost advantage to the government that has the net effect of decreasing federal expenditures. Cost advantage is a saving that will accrue to the government through the use of overtime to accomplish workloads, as opposed to other methods.

(3) The requester must cite specific criteria which justify the extra work and provide detailed justification on each request. If economic, where, and how much economic advantage will accrue.

IMKO-AB-RM

SUBJECT: Command Premium Pay and Compensatory Time Policy for Direct Hire
DAC/KN Employees

(4) Extended Workweek (EWW). EWW is performed by KN on a nonscheduled or irregular basis to meet those situations outlined in paragraph 6b(1), (2) and (3) below, and may be in excess of 40 hours, but not exceeding 44 hours per week. EWW is paid at the employee's regular hourly rate plus bonuses and benefit allowance making it more expensive than straight overtime.

(5) Overtime Time (OT) and Compensatory Time (CT). Overtime work means each hour of work in excess of 8 hours in a day or in excess of 40 hours in an administrative workweek that is: a) officially ordered and approved by management and b) performed by an employee. It is work that is not part of an employee's regularly scheduled administrative workweek and for which an employee may be compensated. Employees who are non-exempt under the Fair Labor Standards Act (FLSA) must receive overtime pay unless they request compensatory time off in lieu of payment. Employees under the Federal Wage System (e.g., WS, WL and WG) became eligible for compensatory time with an amendment to Title 5 USC 5543 in the National Defense Act for Fiscal Year 1997. Compensatory time off earned but not used after 26 pay periods is converted and paid at the employee's overtime rate of pay. (Procedures and rules pertaining to DOD civilians are contained in DODFMR 7000.14-R, Chapters 2 & 3.)

(6) KN employees on regular tours of duty (40 hours per week) will receive OT pay only for work in excess of 8 hours per day, or 44 hours per week. OT hours are paid at 150 percent of the scheduled base hourly rate and Consolidated Allowance Payment (CAP). An employee who performs work on officially designated Korean holidays is entitled to holiday premium pay. The premium pay is 200 percent of the scheduled base hourly rate and Consolidated Allowance Payment (CAP). KN employees must be paid for all overtime worked. KN employees may request compensatory time in lieu of payment for overtime worked. Compensatory time will normally be taken in the same pay period accrued. However, the time period for use may be extended for up to 3 additional pay periods. KN CT is forfeited if not used within these 3 pay periods or if the employee transfers or is reassigned to another organization.

(7) Holiday Work (HW). This is work performed by KN employees on Republic of Korea (ROK) legal holidays defined in USFK Reg 690-1. An employee who performs work on officially designated Korean holidays is entitled to holiday premium pay. The premium pay is 200 percent of the scheduled base hourly rate and Consolidated Allowance Payment (CAP). KN employees working on US legal holidays are paid at their regular hourly rate.

IMKO-AB-RM

SUBJECT: Command Premium Pay and Compensatory Time Policy for Direct Hire
DAC/KN Employees

(8) Night Differential (ND). Night differential will be kept to a minimum consistent with mission essential requirements. Night differential (work performed between 2200 and 0600), when properly authorized, will be at the rate of 150 percent of base pay and CAP.

b. Definitions:

(1) Non-Deferrable Premium Pay: Is defined as those appropriated fund employees, as documented in their SF 50s, who work in excess of a normal 40 hour work week. Examples are mess personnel, fire fighters, and boiler plant, water plant, and sewage plant operators. These employees work between 44 hours and 60 hours per week.

(2) Deferrable Premium Pay/Compensatory Time: Is defined as those appropriated fund employees who work a normal 40 hour work week. All overtime, premium pay and compensatory time for these employees must be approved as prescribed in paragraph 6c below.

(3) Emergency Premium Pay/Compensatory Time: Is defined as non-deferrable in order to preserve life, safety, and facilities. Approval of overtime, premium pay and compensatory time for a normal 40 hour work week employees meeting this criteria must be approved as prescribed in paragraph 6c below.

(4) Non emergency Premium Pay/Compensatory Time: Is the same as defined in paragraph 6b(2) above. Basically, anything that is deferrable (44 to 60 hour normal workweek), or not an emergency is considered non-emergency and therefore can be deferred. With approval levels described below, common sense will be injected into the process and only bona-fide non-deferrable overtime/premium pay and compensatory time will be authorized.

c. Approval Authority:

(1) Director of Public Works (DPW): Personally approves all requests (paragraph 6b above) for subordinate activities within the DPW. No lower delegation is authorized.

(2) Director of Morale, Welfare and Recreation (DMWR): Personally approves all requests (paragraph 6b above) for subordinate activities within the DMWR (i.e. YS, ACS, CDS, and Education Center). No lower delegation is authorized.

IMKO-AB-RM

SUBJECT: Command Premium Pay and Compensatory Time Policy for Direct Hire
DAC/KN Employees

(3) Director of Logistics (DOL): Personally approves all requests (paragraph 6b above) for subordinate activities within the DOL (i.e. PCB, ITO, QM Ldry, Food Svcs, TISA and Mortuary). No lower delegation is authorized.

(4) Deputy Garrison Commander (DGC): Personally approves all requests (paragraph 6b above) for RMO, Chaplain, Safety, PAO, PAIO, DPTMS, IMO, DHR, VI, RRC and Command Group. No lower delegation is authorized.

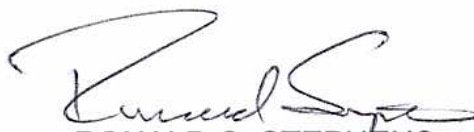
(5) Commander (CDR): Approval authority delegated to incumbent of positions identified in paragraph 6c(1) thru (4) above.

d. Supervisors (at all levels) will:

(1) Plan their activity work schedule well in advance in order to minimize deferrable premium pay and compensatory time requirements. All overtime request defined in paragraph 6a(2) above will be submitted to the respective approving official identified in paragraph 6c above. Requests will be submitted at least 7 work days in advance of scheduled overtime.

(2) For all emergency overtime defined in paragraph 6b(3) above obtain telephonic approval from their respective approving official identified in paragraph 6c above prior to performing or having the employee perform any overtime. The DA Form 5172-R or EANC Form 37-R will be annotated to reflect that verbal approval was obtained the previous duty day.

7. Questions concerning this policy can be addressed to Mr. Ron Outten, Chief, Budget & Accounting Branch at 738-6942.



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